



MONTGOMERY COUNTY PLANNING BOARD
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

OCT 3 2013

MCPB No. 13-86
 Site Plan No. 820120200
 Olive Branch Community Church
 Date of Hearing: May 30, 2013

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on June 6, 2012, Olive Branch Community Church, Inc. ("Applicant"), filed an application for approval of a Site Plan for the construction of a church with a maximum seating capacity of 220 people on 3.06 acres of RE-2 zoned land, located approximately 2,400 feet east of Meeting House Road ("Subject Property"), in the Sandy Spring/Ashton Master Plan ("Master Plan") area within the Rural Village Overlay Zone; and

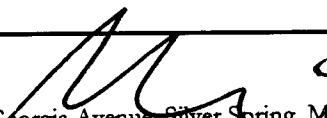
WHEREAS, Applicant's Site Plan application was designated Site Plan No. 820120200, Olive Branch Community Church ("Site Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 13, 2013, setting forth its analysis of and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on May 30, 2013, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Presley, seconded by Commissioner Wells-Harley, by a vote of 5-0, Commissioners Anderson, Carrier, Dreyfuss, Presley, and Wells-Harley voting in favor;

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820120200 for the construction of a church with a maximum seating capacity

Approved as to
 Legal Sufficiency 
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 MNCPPC Legal Department
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of 220 people, associated parking facilities, and Lighting and Landscape Plans on the Subject Property, subject to the following conditions:¹

Conformance with Previous Approvals

1. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 120110410 as listed in the Planning Board Resolution dated May 21, 2012, as amended.

Environment

2. Forest Conservation

- a. The Final Sediment Control Plan must be consistent with the final limits of disturbance as shown on the approved Final Forest Conservation Plan (FFCP).
- b. The Applicant must comply with all tree protection and tree save measures shown on the approved FFCP. Tree save measures not specified on the FFCP may be required by the M-NCPPC forest conservation inspector.
- c. The conservation easements, as shown on the FFCP, must be shown on the record plats.
- d. Prior to the start of clearing and grading on-site, the Applicant must obtain M-NCPPC Staff approval of a Certificate of Compliance Agreement for use of an M-NCPPC-approved off-site forest mitigation bank to satisfy the forest mitigation planting requirements.
- e. Permanent Category I conservation easement signs must be placed along the perimeter of the conservation easements.
- f. Mitigation for the loss of three specimen trees (ST-4, ST-11, ST-21) to be provided by planting, ten, 3-inch caliper native canopy trees on-site.

3. Stormwater Management

The development is subject to the Stormwater Management (SWM) Concept conditions of approval dated October 10, 2011, or unless amended and approved by the Montgomery County Department of Permitting Services (MCDPS).

Site Plan

4. Site Design

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

- a. The Architectural floor plans will reflect the maximum seating capacity of 220 people.
 - b. The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings.
 - c. Provide wheel-stops within the parking spaces that are directly adjacent to the 5-foot pedestrian sidewalks to ensure handicap accessibility.
 - d. Consistently label all major roads, fences, sidewalks and entry signage, and provide any associated site details.
5. Lighting
- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for residential development.
 - b. All on-site down light fixtures must be full cut-off fixtures.
 - c. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
 - d. Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
 - e. The height of the light poles must not exceed 15-feet including the mounting base.
6. Surety
- Prior to issuance of first building permit within each phase of development, Applicant must provide a performance bond(s) or other form of surety, in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:
- a. Applicant must provide a cost estimate of the materials and facilities, which, upon Staff approval, will establish the initial surety amount.
 - b. The amount of the bond or surety must include plant material, on-site lighting and site furniture within the relevant phase of development.
 - c. Prior to issuance of the first building permit, Applicant must enter into a Site Plan Surety & Maintenance Agreement with the Planning Board in a form approved by the Office of General Counsel that outlines the responsibilities of the Applicant and incorporates the cost estimate.
 - d. Bond/surety must be tied to the development program, and completion of plantings and installation of particular materials and facilities covered by the surety for each phase of development will be followed by inspection and reduction of the surety.
7. Development Program
- The Applicant must construct the development in accordance with a development program that will be reviewed and approved by M-NCPPC prior to the approval of

the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Sidewalks must be installed within six months after the parking lot construction is completed.
- b. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of any building occupancy permit.
- c. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan (FFCP), Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- d. The development program must provide phasing for installation of on-site landscaping and lighting.
- e. Landscaping associated with the parking lot and building must be completed as construction of each facility is completed.
- f. Pedestrian pathways and seating areas associated with each facility must be completed as construction of each facility is completed.
- g. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, and other features.

8. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and information provided subject to Staff review and approval:

- a. Include the final forest conservation approval, stormwater management concept approval, development program, inspection schedule, and Site Plan resolution on the coversheet.
- b. Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c. Modify data table to reflect development standards enumerated in the staff report.
- d. Ensure consistency of all details and layout between Site and Landscape plans.

BE IT FURTHER RESOLVED, that all site development elements as shown on Olive Branch Community Church drawings stamped by the M-NCPPC on September 26, 2013, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that, having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

Neither Development, Diagrammatic, Schematic Development, nor Project Plans are required for this property.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The use is permitted in the RE-2 Zone and the Site Plan fulfills the purposes of the Sandy Spring/Ashton Rural Village Overlay Zone by preserving and enhancing the rural village character of the Sandy Spring and Ashton village centers by ensuring an attractive and traditional pattern. This application also encourages a compatible relationship between the new traditional neighboring structures that reflects the best of local village character, particularly in terms of scale, seating, design features proximity to an arterial highway and orientation. The building setbacks accommodate adequate space for landscape buffering along the property boundaries.

In accordance with section 59-C-18.182, the development connects into an existing public water and sewer line via a 12-inch water main and an 8-inch gravity sewer main. With respect to building height, setbacks, and density, the development meets all maximum standards allowed. The following Project Data Table compares the required development standards in the RE-2 Zone to the proposal for this Site Plan application.

Project Data Table for the RE-2 Zone

Development Standards	Required/Permitted	Approved & Binding on the Applicant
Gross Site Area (ac.)	N/A	3.06 ac.
Min. Tract Area (ac.)	2.0 ac.	2.87 ac. ²
Max. Density (d.u./ ac.)	0.4	N/A
Max. Building Height (ft.)	50 ft.	40 ft.
Max. Building Coverage (%)	25 %	10 %
Min. Building Setbacks (ft.)		
Public Street	50 ft.	51 ft.
Side Yard	17 ft. (one side)	146 ft.
Rear Yard	35 ft.	49 ft.

² The gross tract area minus the roadway dedication for Olney Sandy-Spring Road.

Parking Spaces (sp.) Standard Surface Spaces ³	55 sp.	55 sp.
Min. Motorcycle Spaces	1 sp.	1 sp.
Min. Bicycle Spaces (racks)	2 racks	2 racks

3. *The locations of the buildings and structures, the open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

The existing 2-story building (secondary structure) is located on the west side of the property and will remain in the same location. The church building (primary structure) is two-stories with a basement, and is located on the east side of the Subject Property. Both buildings are oriented perpendicular to the roadway to maximize the space between buildings and accommodate the expansion of the existing parking lot. The primary structure is consistent with the surrounding character, and the use is an important element of the “traditional village design”. Retaining the existing residential façade on the secondary structure and orienting the stained glass window on the primary structure toward the right-of-way will contribute to the pedestrian scale and the village character along the street edge.

The existing surface parking lot stretches across the property in close proximity to the main entrance of the primary structure. The renovated parking facility accommodates 56 total parking spaces on-site, and provides plantings along the perimeters and the within the center island. The plantings shown on both sides of the entrance to the site was specifically recommended by the Master Plan to ensure a visual screen between the existing roadway and the parked vehicles. The planted buffers along the east, west and south sides of the Subject Property provide an additional screen from the surrounding properties.

Recreational facilities are not required for this Site Plan; however, open space is provided near the secondary structure on the south side of the Subject Property. This space will be used for outdoor activities or events hosted by the church during the day. Bike racks are also provided near the front entrances of both buildings. The open space, landscaping and site details adequately and efficiently address the needs of the use and the recommendations of the Master Plan, while providing a safe environment.

The vehicular circulation is designed efficiently, and adequately directs traffic through the site with minimal impacts to pedestrian circulation. Wheel stops are placed in the parking spaces that directly abut the 5-foot sidewalk to ensure handicap accessibility and provides safe access to the entrances of the buildings.

³ The standard surface spaces include three handicap spaces.

Handicap spaces are provided near the front entrances of the primary and secondary buildings. Pedestrian sidewalks are also provided along the rim of the parking lot, and connect into existing sidewalks along the street edge.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

In accordance with the Master Plan recommendations and the Rural Overlay Zoning requirements, parking is encouraged in the side and rear yards. All parking is provided on-site; therefore, pedestrians will have direct access to the structures. Sherwood High School does not support a through connection as it may encourage trespassing by church patrons and students, and be used as a cut-through by vehicles. The Subject Property is within a residential zone, provides adequate landscape screening and meets the required setbacks within a residential zone.

The development was carefully reviewed for conformance with the parking guidelines that are directly associated with this property. The parking areas are compatible with the nearby uses. The surface parking is conveniently located at the center of the site and set back approximately 65-feet from Sandy Spring Road (MD 108). The location of the parking facility is specifically designed to maximize the number of on-site parking spaces, while meeting the required setbacks. The vehicular driveway (20-feet wide) adequately accommodates safe passing and turning movements. Shade trees are provided along the street edge between the parking facility and the 10-foot public utility easement (P.U.E.). Understory plantings adequately screen the parked cars from the public right-of-way (ROW) and the neighboring properties toward the south. The existing forest and tree plantings will be protected and preserved.

Both structures are in scale with the nearby buildings and are located such that they will not adversely impact existing adjacent uses. The existing secondary structure will remain consistent with the character of the surrounding neighborhood. The church's stained glass window near Sandy Spring Road provides a visual focus for pedestrians and drivers passing the site. The church is not only an important element of the "traditional village design", but it also contributes to an active street frontage.

The lighting is consistent with the area's character in terms of style, scale and intensity. The light poles (maximum 15 feet tall) are centrally located around the perimeter of the parking facility, and will have full cut-off reflectors that minimize light pollution onto the neighboring properties.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The Subject Property is located in the Northwest Branch watershed, which is classified by the State of Maryland as Use IV waters. The Subject Property is gently sloping to the west and east, with the highest elevation in the center of the Subject Property. There are no streams, wetlands, 100-year floodplains, or environmental buffers on-site. There are no steep slopes or highly erodible soils on the Subject Property.

There are 1.52 acres of existing forest located in the eastern half of the property. The forest is dominated by white oak and white ash and is designated as high priority for retention due to the large number of specimen trees within the stand. In the western half of the property, there are large areas of tree cover and numerous large and specimen trees located around the existing building and parking lot.

Natural Resource Inventory/Forest Stand Delineation (NRI/FSD)

This development is subject to the Montgomery County Forest Conservation Law. NRI/FSD #420102230 was approved on October 13, 2010. The NRI/FSD identifies the environmental constraints and forest resources on the subject property. The property contains no wetlands, streams, floodplains or associated buffers.

Final Forest Conservation Plan and Environmental Guidelines

The Planning Board approved a Preliminary Forest Conservation Plan as part of Preliminary Plan application 120110410 on May 21, 2012. There are twenty-seven (27) trees on and immediately adjacent to the site that are 30 inches and greater in diameter at breast height (DBH). As part of that approval, a variance was granted to remove sixteen trees that are 30 inches DBH or larger and to impact, but not remove, five others that are considered high priority for retention under Section 22A-12(b) (3) of the County Forest Conservation Law. The Final Forest Conservation Plan was submitted for review as part of the Site Plan application. The Final Forest Conservation Plan, including the variance, is consistent with the previous approvals.

The Final Forest Conservation Plan will clear 0.90 acres of forest on site for the construction of a new church building, associated parking lot and required

stormwater management facilities. There is a 0.19 acre forest planting requirement that will be met off-site.

Staff finds that with the conditions, this project is in compliance with the Montgomery County Environmental Guidelines and the Montgomery County Forest Conservation Law.

Stormwater Management

In accordance with Chapter 19 of the Montgomery County Code, an approval letter (dated October 5, 2010) from the Montgomery County Department of Permitting Services conditionally approved a stormwater management concept for the development. The concept consists of onsite stormwater management through the use of Environmental Site Design.

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is OCT 3 2013 (which is the date that this resolution is mailed to all parties of record); and

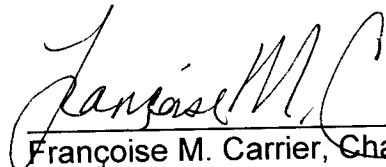
BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Anderson, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor at its regular meeting held on Thursday, September 26, 2013, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board